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URBAN DISTRICT COUNCILS

By C. M. LLOYD

Revised by
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URBAN DISTRICT COUNCILS

Their Constitution, Powers and Duties

by

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Revised by A. E. Lauder

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NOTE *This pamphlet, like all publications of the Fabian Society, represents not the collective view of the Society, but only the view of the individual who prepared it. The responsibility of the Fabian Society is limited to approving the publications which it issues as embodying facts and opinions worthy of consideration within the Labour Movement.*

Urban District Councils :

Their Constitution, Powers and Duties

The Urban District, as a unit of local administration, was established by the Local Government Act, 1894, superseding the old Urban Sanitary District. There are now nearly 572 of these Urban Districts in England and Wales, varying widely in population, area and wealth. Thus, at one end of the scale, we have Rhondda, with a population of over 140,000 ; at the other end Bettwys-y-Coed with 2,000. Harrow has a rateable value of over £2,000,000, Bala of less than £7,000. On the other hand, Rhondda covers 23,885 acres, or more than 37 square miles, and Bala has only 252 acres.

Many small urban districts were absorbed into larger urban or rural districts as a result of the revision of boundaries by the Minister of Health, following upon recommendations of the County Councils under the Local Government Act, 1929, but there are still a large number which are too small or too poor to enable their councils fully to exercise their local government powers and duties.

An Urban District may apply to the Privy Council for a charter of incorporation—that is to say, to become a Municipal Borough.¹ A number of districts have obtained their charters during the last twenty-five years, among the most recent being Southgate, Tottenham, Surbiton and Fleetwood. An Urban District with a population over 25,000 may petition the Home Secretary for a Stipendiary Magistrate.

Rural Parishes may be made into Urban Districts and Rural Districts may be converted into Urban Districts ; or vice versa, and Urban or Rural Districts may be united by Order of the Boundary Commissioners under the Local Government (Boundary Commission) Act, 1945.

¹ The question often arises, in an Urban District with a population of 30,000 or 40,000, whether it should seek to become a Municipal Borough. This involves an application to the Privy Council for a Royal Charter, which is only granted after considerable inquiry. An Urban District Council has practically the same powers as a Borough Council, but a larger Borough may be allowed its own Bench of Justices, its own Quarter Sessions, and its own Coroner. The Borough's power of making bye-laws is somewhat enlarged. Otherwise the only difference is that (a) the Chairman becomes a Mayor ; (b) the Clerk is styled Town Clerk ; (c) the Council appoints Aldermen, either from its own body or from outside ; (d) the Borough may escape from the audit of the Ministry of Health's District Auditor, and have its own Auditors, elective or appointed by the Mayor, but the Charter would probably be granted subject to a condition that the audit of the Ministry should be retained. Under the Local Government (Boundary Commission) Act, 1945, a Borough exceeding 100,000 in population may apply to be made a County Borough, and thus become free of control by, or of contribution to, the County Council, and able to exercise (and pay for) all the powers of a County Council as well as those of a Municipal Borough. Short of becoming a County Borough, the chief tangible advantage of an Urban District getting a charter of incorporation is said to be a rise in status and dignity which will be of importance from a civic point of view, and will increase the interest of the electors in their local affairs. " Nothing is but thinking makes it so," and if the inhabitants of an Urban District believe that their municipal affairs are of less importance than those of a neighbouring borough their sense of inferiority will be reflected in electoral apathy.

Under this Act, a Boundary Commission has been set up to review local government boundaries, including those of Urban Districts. In normal cases a public enquiry will be held before any decision is given by the Commissioners. They have wide powers to vary the boundaries, including the compulsory union of an urban district with a similar neighbouring urban or rural district or with a borough. Any alteration in the boundaries of a county or of a county borough must be approved by Parliament before becoming effective.

The Commission takes over the powers in this matter both of the County Council (except the alteration and division of parishes) and of the Minister of Health.

The Commissioners will be guided by general principles prescribed by the Minister of Health and approved by both Houses of Parliament.

CONSTITUTION OF THE URBAN DISTRICT COUNCIL

The constitution of an Urban District Council is now governed by the Local Government Act, 1933.

The Council is in every case a corporate body with perpetual succession (i.e. its life continues unbroken, irrespective of the individual members who compose it) and a common seal. Councillors must be residents in the District who are either (1) Local Government electors on the register, or (2) if not entitled to be registered as electors, owners of freehold or leasehold land in the District, or have been residents in the District for twelve months prior to the election. For the latter, no property qualification is required. The following are disqualified for election : (1) Persons under 21 ; (2) Aliens ; (3) Persons who have received non-medical poor relief within twelve months before election ; (4) Persons sentenced to imprisonment for not less than three months without the option of a fine within five years before election, or since election ; (5) Persons found guilty of corrupt practices and other offences against election law ; (6) Bankrupts ; (7) Holders of any paid office under the Council ; (8) Persons surcharged to an amount exceeding £500 by a District Auditor. Voting is by ballot under rules made by the Home Secretary.

By the Representation of the People Act, 1945, every British subject, man or woman, over the age of 21 and not subject to any legal incapacity, is entitled to be placed on the roll of Local Government electors in respect of the address shown on his identity card on the 30th June. Special provision is made for persons serving in H M Forces and over the age of 21 to be registered as electors. Occupiers of business premises are entitled to vote if they make the necessary application to the Registration Officer at the Town Hall, but no person may be registered twice in the same constituency.

A Councillor holds office for three years, and unless disqualified in the meantime is re-eligible at the end of his term. For Elections in 1946 retiring Councillors can seek election although no longer qualified—but not if they have become disqualified (see above). Representation of the People Act, 1945, Sec. 7. As a rule, the whole Council does not come in and go out together; one-third of the members retire on the 15th April each year, so that one-third are always “first-year”, one-third ‘second-year’, and one-third ‘third-year’ men (or women). It may, however, be arranged by Special Order of the County Council (in response to a resolution of the Urban District Council, passed by two-thirds of those voting) that the whole body shall retire *en bloc* every third year, and this is done in some Districts. At the election in 1946 all members who have been co-opted by the Council during the war

will retire, but will be eligible for re-election. The Chairman of the Council is elected by the Councillors and he (or she, for there is no sex-disqualification) becomes, by virtue of the office, a Justice of the Peace. The Chairman need not be a Councillor, but may be chosen from outside, provided that he is qualified to be a Councillor. The Council may also appoint, and generally does appoint, a Vice-Chairman, who must be a member of the Council. A District Council has no Aldermen and no ex-officio or nominated members. Councillors are unpaid.

POWERS OF URBAN DISTRICT COUNCILS

The powers and duties of the Urban District Council are very wide. They may be most conveniently grouped under the following heads:

(1) Public Health

This, with Housing and Education, will be dealt with in detail in other Tracts. It is enough to say here that the Council is the authority for drainage, sewerage, street scavenging, the removal and disposal of refuse, the approval of plans of new streets and buildings, treatment of infectious diseases, provision of hospitals for such infectious diseases, clinics, nursing, mortuaries, cemeteries, the licensing and inspection of slaughter-houses, bakeries, the seizure of unsound food, the immunisation of children against diphtheria, the issue of licences for the sale of milk under certain special designations, and the prevention of nuisances to the public health. Nuisances which do not directly affect the public health, such as shouting or playing music in the streets, or noises from animals, will be dealt with in an urban district by bye-laws made by the county council. Where the population of the district at the last census is 40,000 (or by order of the Minister of Health when the population is between 20,000 and 40,000) the Council may be the authority for carrying out the law relating to Food and Drugs, unless they have relinquished their powers to the County Council, who will be the authority in other districts. The Public Health activities of the District are invariably recorded in the Annual Report of the Medical Officer of Health. Every ratepayer interested in this important work should apply at the Town Hall or Council Office for a copy of the report, which may usually be obtained free of charge. The Council frequently carries out the provisions of the Public Health Act, 1936, as to Maternity and Child Welfare, i.e. : Such arrangements as may be sanctioned by the Minister of Health for ' the care of expectant and nursing mothers and of children who have not attained the age of five years and are not being educated in schools recognised by the Ministry of Education '. These words cover a host of activities, including the appointment of medical officers, health visitors, midwives and home helps, the provision of clinics, ante-natal and post-natal centres, infant nurseries, hospitals, sanatoria and convalescent homes, the grant to necessitous mothers of milk and other foods, and medical, surgical and dental assistance. The precise nature of the work carried on in each district will be set out in the report of the Medical Officer of Health, already referred to. In many small Districts it is found more convenient or economical to arrange for the County Council to operate the Act. In that case reference should be made to the annual report of the County Medical Officer. The registration, inspection and making of bye-laws as to Nursing Homes (which include maternity homes), come under the County Council, but it may delegate those duties to the district council, and must do so if directed by the Minister of Health.

Far reaching changes are now under consideration by the Government which may result in the transfer of the infectious diseases hospitals and the Maternity and Child Welfare service from the District Council to the County

Council, although the former may continue their interest and help in the matter by appointing members to the committees of management. At present, the County Council is the Authority for the treatment of patients in the public general hospitals and of persons suffering from Tuberculosis, Venereal Disease, or Small-pox.

(2) Housing and Town Planning

The Council is responsible for carrying out the Housing and Town Planning Acts, including the provision of houses, the clearing of congested areas and slums, ensuring that all houses are placed and kept in a proper state of repair, and the preparation of town planning schemes. Since the War, the provision of houses to let at rents which can be paid by the working classes has been abandoned as a normal feature of private enterprise, and therefore must be undertaken by Local Authorities, with the aid of State subsidies. These subsidies were discontinued, except in respect of persons re-housed after a slum clearance scheme, or to abate overcrowding under the Housing Act, 1936. But they will be renewed and probably extended to meet the famine in houses let at weekly rents, so acute at the publication of this pamphlet.

A Town Planning Scheme is of enormous importance to ensure that the development of a District shall be carried out to meet public needs and convenience rather than solely to provide private profit. Such a Scheme, under the Town and Country Planning Acts, 1932, 1943 and 1944, may lay down the lines of future roads, limit the density of buildings to the acre, set out zones in which certain classes of buildings (shops, factories or premises used for noxious industries, as the case may be) will not be permitted, and provide for future open spaces and for the preservation of trees and other amenities. The urban district council may possibly have relinquished its town planning powers to the County Council, or may have associated itself with a Joint Committee covering the urban district and surrounding areas for the exercise of those powers.

The Council may also resolve to put the Small Dwellings Acquisition Act, 1899, into operation, subject, where the population is less than 10,000, to the consent of the County Council. It may then advance to persons purchasing houses for their own occupation loans up to 90 per cent. of the valuation (which must not exceed £1500) of the premises, repayable within a maximum period of 30 years at interest 10/- per cent. higher than the rate at which the Council themselves borrow the money.

(3) Education

Under the Education Act, 1944, the Local Education Authorities are the councils of administrative counties and county boroughs. The expenses are defrayed mainly by Government grants (a little more than half the total cost) and from that portion of the General Rate which the County Council require the Urban District Council to levy. The rate-in-the-pound for education is thus today the same in all parts of the county, rich or poor. The Act provides, however, that whilst the County Council has the final decision as to expenditure, there shall be a considerable amount of delegation to borough and urban district councils. It must act through an Education Committee, which must include persons of experience in education and persons with a knowledge of educational conditions in the area. The Urban District Council should therefore be able to secure representation on that body. All matters of education must be referred in the first instance to this Committee, except in questions of urgency. The County Council can also *delegate* such matters to the Committee, with power to act, except for borrowing or rating.

An Urban District which had a population of 70,000 on the 30th June, 1939, or 7,000 pupils in its public elementary schools on the 31st March, 1939, will be an 'excepted district', and its council will be a 'divisional executive' in educational matters, with large delegated powers set out in a scheme made by the District Council and approved by the Minister of Education. To carry out this scheme, the Council must establish an Education Committee, consisting of members of their body, representatives of the County Council and other persons interested in education. Anyone may see a copy of the scheme at the Town Hall. On the other hand, the Council of such a district may have relinquished its powers to the County Council.

Where such powers have been relinquished, and in all the districts which have not the above population, the County Council must make a scheme of delegation to local committees, or 'divisional executives', which will set out the specific duties delegated or referred to such local bodies, and the manner in which the Committees are to be constituted. Representation should be given to the county and the district councils and to local persons interested in education. A copy of the scheme may be obtained from the county council.

It is worth noticing that Education Authorities have the duty to provide food, medical inspection and treatment and the power to provide boots and clothing (payable by the parents according to means), for the children in their charge.

The Local Education Authority may make bye-laws as to the employment of children under the age of 18. Enquiries as to these bye-laws should be made to the Clerk of the County Council.

These three departments of health, housing and education are, of course, of first-rate importance, and they are dealt with in separate Tracts.

(4) Highways

The Urban District Council is charged with the management of all streets and highways within the District. It repairs, paves, cleanses and lights the roads, and may name, re-name, or re-number streets, or make new ones, round off dangerous corners, erect traffic signals, plant and fence roadside trees, lay out grass margins to roads, prescribe 'building lines', provide public conveniences and street ambulances, and put up clocks or statues in public places. The more important roads, known as 'county roads', are under the control of the County Council, but the work of repairing and maintaining them is frequently carried out by the District Council at the cost of the County Council. The Minister of Transport also contributes to the expenditure on such roads. The normal grant from the Minister is 60 per cent. for Class A roads and 30 per cent. for Class B roads. Many Councils appoint Accident Prevention Committees, who have done good work, in conjunction with the Police, the Education Committee and voluntary effort, in keeping down the number of traffic casualties.

(5) Parks, Recreation Grounds, Commons, etc.

Under Sec. 164 of the Public Health Act, 1875, a District Council may take on lease or buy land for 'public walks or pleasure grounds' and may make bye-laws for their regulation. It has a practically free hand in the provision of parks, recreation grounds, playing fields and the like. It may let out boats for hire on lakes, and provide bands of music and concerts. It is worth noting that the County Councils sometimes contribute towards the cost of purchasing the land in the case of large parks. Some Councils also have Entertainment Committees, to carry out the powers of the Council to organise musical entertainments or dancing in their parks and recreation

grounds. Under the Commons Act, 1899, the Urban District Council may regulate and manage commons. Apart from its concern with the common from the point of view of recreation or amenity, the Urban District Council may also, with the consent of the County Council, aid persons in maintaining rights of common, even to the extent of taking legal proceedings. It is the duty of the Council, too, to protect rights of way and to prevent encroachment on roadside wastes.

(6) Allotments

Every Urban District Council has the duty of providing a sufficient supply of allotments for the inhabitants of any class (not now, as formerly, only for the working class), and for this purpose it may purchase or hire land. If the demand cannot be satisfied otherwise, the Council may, with the sanction of the Minister of Health and the Minister of Agriculture, acquire the land compulsorily, and it may adapt, fence or drain it and equip it with suitable buildings for the allotment-holders. The Council must (unless exempted by the Minister of Agriculture) set up an Allotments Committee in any Urban District where the population exceeds 10,000, and even where it is less than 10,000, if the total number of allotments provided by the Council is more than 400. One-third of the membership must be non-members of the Council and representative of the tenants. An allotment is a plot of land not exceeding five acres; but, in practice, of course, allotments are seldom, if ever, anything like that size, and it is not the duty of a Council to provide any allotment of more than one acre. A house may not be built for occupation with any allotment of less than one acre. The Council may contribute annually to the cost of allotments the product of a rate of a penny and one-third in the £. The provision of small holdings, which may be larger (they may, in fact, be anything exceeding one acre up to a limit of fifty acres), is the business of the County, not of the District Council. But an Urban District Council may make representations to the Small Holdings Commissioners as to demand for, or desirability of, small holdings in the District. The County Council may by agreement delegate to an Urban District Council any of its powers for managing small holdings.

(7) Public Utility Services

The Urban District Council may have its own gas or electricity undertaking, its own water supply, its own transport, though of these gas alone is ordinarily within the reach of the smaller districts. For services such as these parliamentary or departmental sanction must be obtained. There are, however, two important matters in which the Urban District Council can act at its own will. These are the institution of (a) Libraries and Museums, and (b) of Baths and Washhouses. Any Urban District Council might, prior to 1919, by a special resolution, adopt the Public Libraries Acts, and over 200 have done so. In other Urban Districts the County Councils are the authorities for adopting the Acts, but the District Council have frequently been successful in pressing the County Council to take the necessary action. By the Physical Training and Recreation Act, 1936, Urban District Councils are empowered to acquire and lay out land for providing facilities for the encouragement of physical training and recreation.

Under the Public Health Act, 1936, the Urban District Council is empowered to provide public baths and washhouses. There is no restriction as to the amount that may be spent on this service out of the rates. A great many Urban Districts have their own public baths, and there is no reason why all but the smallest should not have them. Indoor baths are frequently used

in the winter as public halls and sometimes as civic centres for social life, including facilities for badminton, music and dancing.

Public markets and slaughterhouses may also be established by the Council, and, where the District is a waterside one, public quays and wharves. In seaside Districts, the Council may, and in some cases does, construct and own sea-walls, esplanades, piers, harbours, and sea-water supply works. Some Councils have 'dust destructors', or installations for the disposal of house and other refuse. Articles of any value, such as waste paper and metal, are salvaged, and other refuse is converted into new raw material, often at a considerable financial profit.

(8) Burial Grounds and Cemeteries

In some Urban Districts there is a Burial Board in existence, for the purpose of providing burial grounds. In most Districts, however, the District Council exercise the functions of the Burial Board, and, in any event, if a new burial ground is required, the Council may provide a cemetery under the Public Health (Interments) Act, 1879. The former legal distinctions between a burial ground and a cemetery have been abolished by legislation. The Council can also provide a crematorium.

(9) Public Assistance

In an Urban District the County Council is the authority for granting Public Assistance, formerly known as Poor Law Relief. It is required to set up a Public Assistance Committee for carrying out this work. Persons who are non-members of the County Council may be appointed on this Committee up to one-third of the whole number, and in that case women must be included.

In the case of non-County Boroughs and Urban Districts, the scheme must provide for the division of the County into areas, each of which must be furnished with a sub-committee called a 'Guardians Committee', which shall include members of the District Council nominated by them. These sub-committees deal with such matters as the grant of relief, the recovery of contributions from relatives of persons relieved, and the inspection and management of institutions. These provisions may be varied by Order of the Minister of Health, but information as to the scheme in operation may be obtained from the Clerk of the County Council.

(10) Miscellaneous

The Urban District Council has besides a number of different powers or duties which cannot be classified conveniently under any of the foregoing heads. These are as follows:

(i) *Ambulances*.—The Council may provide ambulances for the conveyance of persons to or from Hospitals as a result of illness or street accidents, and may charge for the use of those vehicles. It is the practice of most Councils to make no charge in the case of street accidents, and many Councils allow the free use of ambulances in all other cases within a certain distance from the District. The Council can also, of course, provide ambulances for the conveyance of patients to or from their hospitals.

(ii) *Advertisements*.—In Urban Districts with a population of 10,000 or upwards the Council may make by-laws for the regulation of advertisements in public places, on hoardings, and for the protection of

amenities and rural scenery, etc. Hoardings and other public advertisements may also be prohibited or controlled by Town Planning Schemes.

(iii) *Diseases of Animals*.—The County Council may, if it chooses, delegate its powers under the Diseases of Animals Acts to the Urban District Council. The Urban District Council will then become the authority for dealing with glanders, swine fever, foot and mouth disease, cattle plague, anthrax, rabies, and various other diseases with large powers of inspection, regulation, seizure and slaughtering.

(iv) *Factories and Workshops*.—In workshops, including bakehouses, the law in regard to cleanliness, limewashing, ventilation, prevention of nuisances and overcrowding, etc., is enforced by the Council. A register of workshops in the District is kept by the Council. Factories are inspected by the Home Office; but the Home Office may, if it considers it necessary, demand the assistance of the Council.

(v) *Fire*.—The Council had, under the Town Police Clauses Act, 1847, and the Public Health Act, 1875, full powers for providing protection against fire, including the provision of engines, apparatus, stations, and the payment of firemen. The local Fire Brigades were transferred to the National Fire Service during the war, but it is understood that they will soon be restored to the local authorities, subject to conditions as to co-operation between them.

(vi) *Licensing, Registration, etc.*—The Council is the authority for licensing knackers' yards, common lodging houses, game dealers, pawn-brokers, hackney carriages, horses or donkeys let out for hire, and pleasure boats. It registers and inspects canal boats, and old metal and marine stores. It licences and regulates the keeping and selling of petroleum within the District. It makes by-laws for the regulation of the sanitary condition of tents, vans, and other 'temporary dwellings'. It may, if it thinks fit, apply to the Home Office to abolish any fair in the District, or to alter the day for holding it.

(vii) *Pensions*.—In Urban Districts with a population of 20,000 or more, the Council appoints the Local Pensions Committee under the Old Age Pensions Acts. The members of the Local Pensions Committee hold office for three years (or less, if so decided by the Council). They need not necessarily be members of the Council. An Urban District Council may also have representatives on the Local War Pensions Committee under the War Pensions Act, 1921.

(viii) *Shops*.—In Urban Districts with a population of 20,000 or more, the Council is the authority for enforcing the Shops Acts, 1912—1936. The Council may also make and enforce orders fixing the Early Closing Day, and, subject to the sanction of the Home Office, fix times of closing for any class of shops in its District. The Council can appoint an inspector to see that the hours of work (48 per week), of persons under the age of 18 are not exceeded, that the weekly half holiday is given and notices prescribing such holiday are exhibited in the shop, that the local restrictions on Sunday trading are observed, and that seats are provided for female assistants.

In urban districts with a population of under 20,000 these duties fall upon the County Council, but in all districts the task of enforcing the provision of sanitary conveniences and ventilation is imposed upon the District Council.

(ix) *Charities*.—The Minister of Health may confer on an Urban District Council the powers of a rural Parish Council, enabling it to administer non-ecclesiastical charities. This is worth considering by all councillors, as there are often old charities with funds that might be put to far greater use than they are at present.

URBAN DISTRICT FINANCE

The Urban District Council raises its revenue in two main ways. First, it has the General Rate Fund, which is derived from :

(1) Rent or profits of property owned by the Council—e.g. land, recreation grounds, swimming pools, houses, markets, water and gas undertakings, cemeteries, baths and washhouses—or the proceeds of the sale of waste from house refuse, or from the letting of public halls, and any interest on their bank balance.

(2) Grants from the County Council or from the central Exchequer for certain services. Such are the contributions towards the maintenance of roads and the maternity and child welfare service, or for salaries of officials. Other grants from the Government are now included in a Consolidated Exchequer Grant, made to Borough, District and County Councils, based upon a number of complex factors, under the Local Government Act, 1929, and normally revised every five years. The last revision was postponed owing to the War. The object of the Grant was to compensate local authorities for the loss of rates caused by the de-rating of railways and factory premises by three-fourths of the normal rate, and to relieve the financial burdens of some of the poorer authorities. In many of the poorer districts, the War has caused the appearance of new factories, paying only one-fourth of the General Rate, and in respect of which no grant is received. *It is generally agreed that a revision of the grant and of the de-rating of factories is urgently desirable. Local information as to the amount of these grants and the cost of the various municipal services is set out on the back of the rate demand note. In many of the larger urban districts the council also publish, free of charge, an annual abstract of their accounts, and all persons interested should procure a copy.

(3) Rates levied upon the owners and occupiers of property within the Urban District. The rating authorities are the Councils of the Boroughs and Urban and Rural Districts. The other authorities, such as County Councils or Assessment Committees or Burial Boards, Joint Boards (if any) must 'precept' on the rating authority—i.e. direct it to raise the amount required for their purposes from its area. The General Rate, made, levied and collected by the Urban District Council, will not only cover the Council's own expenditure, but will include the expenditure of these bodies. It is assessed on the annual value of all hereditaments within the District, and is normally levied on the occupiers of the property, but the Council may, if it chooses, rate the owners and not the occupiers in cases of small houses of a rateable value not exceeding £13. The owners will then be entitled to a discount of 10%, or at the option of the Council, 15%. The Council may also by agreement rate the owner and not the occupier of premises the rent of which is payable at intervals shorter than quarterly. In that case the owner will be allowed a discount, varying in amount according to whether he agrees to pay the rates whether the property is occupied or empty, or only while it is occupied, or simply as collector from the occupier. The valuation of property is determined by the Council, but any dissatisfied owner or occupier may appeal against their decision to the Assessment Committee. The county is divided by the County Council into Assessment Areas. For each of these Areas there is an Assessment Committee, appointed partly by the County Council and partly by the Borough and District Councils. Payment of rates may be excused by the Council on the ground of poverty.

Apart from the General Rate Fund and the General Rate, the Council has other financial powers. It may raise loans for various public purposes

(e.g. the building of houses), with the approval of the Ministry of Health. These loans are repayable by instalments, and are a charge upon the rates.

Under the Local Loans Act, 1944, in order to prevent competition raising the rates of interest, all such loans must be raised from the Public Works Loans Commissioners, except loans by the Council from their own sinking funds, reserves or repairs funds. H.M. Treasury have power to grant exception from the Act. The accounts of the Council must be made up to March 31st in each year, to be audited by a District Auditor appointed by the Ministry of Health. Fourteen days' notice of the audit must be given by public advertisement in a local newspaper, and any person interested may inspect the account books and all relevant documents during the seven days preceding the audit. Any elector may attend the audit and object to any item in the accounts. It is the duty of the Auditor to disallow any illegal payment and to surcharge the persons responsible for the payment, but the surcharge may be remitted by the Minister of Health, where it does not exceed £500. Any surcharge may, of course, be quashed by the High Court on legal grounds. Most Urban District Councils publish their annual accounts. Application for a copy should be made to the Clerk or the Financial Officer of the Council.

In comparing the rate in the £ levied by different Councils, it should be borne in mind that, in spite of the General Exchequer Grant, referred to above, and of the fact that the rate poundage for Public Assistance and Education is now equal over the country, the poorer districts still have more need of the necessities and amenities provided by local government than the richer districts, and have, of course, a smaller rateable value upon which they can draw.

JOINT SERVICES WITH OTHER LOCAL AUTHORITIES

The Public Health Act, 1936, and the Local Government Act, 1933, allow certain services to be carried on by combinations of Local Authorities, and a number of Urban District Councils nominate members of Joint Boards or Joint Committees which administer works of sewerage, water supply, burial grounds, recreation grounds or hospitals.

OFFICERS

A great part of Local Government is, of course, exercised through various officers. The principal officers in the service of an Urban District Council are (1) Clerk, (2) Treasurer, (3) Medical Officer of Health, (4) Engineer or Surveyor, (5) Sanitary Inspector. There may also, in a large district, be a School Medical Officer, Nurses, Midwives, Health Visitors, Superintendents of Baths, Gas and Electricity, even a Veterinary Surgeon and various others. All Urban District officials, except the Medical Officer of Health, the Sanitary Inspector and usually the Surveyor, are removable by the Council at its pleasure, unless some reasonable term of notice is fixed when the appointment is made. As a rule, the Medical Officer of Health and the Sanitary Inspector have their appointments sanctioned by the central authority, the Ministry of Health. Half of their salaries is then paid by the County Council and their dismissal requires the approval of the Ministry. The Surveyor is now usually in a similar position, since the Ministry of Transport Act, 1919, provides that the Ministry may defray half the salary and establishment charges of the engineer or surveyor to a Local Authority so far as his work on the maintenance of county roads is concerned, provided that his appointment and dismissal, and the amount of the establishment charges, are subject to the Minister's approval.

The duties of the principal officers are briefly as follows :

(1) The Clerk is the chief permanent official and secretary of the

Council. He generally attends all meetings of the Council and Committees. He is responsible for recording the Minutes, and (where there is no separate Finance Department) for the checking of the accounts before they go before the Committees. He has charge of the records and books and documents of the Council. He deals with correspondence, either as instructed by the Council, or in the course of his routine. His advice on all matters concerning the District, the powers of the Council and so on, is available at Council or Committee meetings. He is generally, and should always be when possible, a solicitor, and if he has also had some financial training and commercial experience, it will be a great advantage.

(2) A Treasurer must be appointed by every Urban District Council, however small its finances may be. He is responsible for all monies paid out, and is usually in small districts the manager of the local bank which keeps the Council's account. But it is only the Treasurer personally and not the bank that the law recognises.

(3) Every Urban Authority must appoint a qualified medical man, or woman, as Medical Officer of Health, or must arrange that the County Council shall appoint one, the Urban District then paying a portion of the salary. The M O H may be a part-time officer and in the smaller districts this is often the case. Under the Local Government Act, 1929 future appointments must be made subject to the condition that the holder shall not be engaged in private practice, and smaller Districts may comply with the condition by making combined appointments. In the large Districts the work requires his whole time, and in some cases that of assistants as well. If any small or medium sized District is hesitating between a whole-time and a part-time Medical Officer, it is fairly safe to say that it should decide in favour of a whole-time officer. For the Medical Officer is, from the point of view of the public health—public health in the widest possible sense of the term—the most important person in the District. It is a general practice to combine the posts or staffs of Medical Officer of Health and School Medical Officer. Such an arrangement is strongly favoured by the central authorities, and it is obviously the right one.

(4) Every Urban Authority has also to appoint a Sanitary Inspector. He has large powers as a sanitary officer, including the supervision of slaughterhouses, cowsheds, restaurants, butchers' shops, dairies, workshops and factories, the disposal of refuse, the procuring of samples of food for public analysis, the inspection of the district for such nuisances as damp walls, defective drains, and overcrowding, the serving of notices for the abatement of nuisances when the Council has decided to take action. He reports to the M O H., and in most matters he will work under him. In all cases the Council should see that there is the utmost possible co-operation between these two officials.

(5) The Surveyor (or Engineer, as he often prefers to be called) is the head of an important department, and keeps all plans, maps and records of public work and repairs. He advises the Council on plans for buildings and streets, inspects and passes drains and sewers, supervises the various operations undertaken by the Council, as well as the maintenance of the highways. In a large District the Surveyor will be a man with high professional qualifications; in the smaller ones his office may be combined with that of the Sanitary Inspector.

The salaries and conditions of employment of the Council's staff have been improved by the scheme adopted in February, 1946, by the National Joint Council for the administrative, professional, technical and clerical services

of local authorities. The scheme is designed to encourage officers to qualify for higher positions in the service by basing promotions on annual reports as to character and capacity. All servants of a Council have now the benefit of superannuation.

Every Councillor ought to regard it as among the first of his duties to know the pay and conditions of work of any servant of the Council, and to get them improved if they are not satisfactory.

COMMITTEES

The Urban District Council does not, of course, carry out all its work as one body. It divides itself into several Committees, each of which is responsible for a certain department, and only comes finally to the full Council for the approval and ratification of its decisions. The number of these Committees will naturally vary according to the amount and importance of the work and the services provided in the District. The most important Councils may have a dozen or more separate Committees. In the smallest the whole Council will sit as a Committee, and even in quite large ones the whole of the Councillors sometimes form the General Purposes Committee. Certain statutory Committees (i.e. Committees which the Council is bound by law to appoint) function, as has been mentioned above, quite independently of the Council : e.g. the Local Pensions Committee. It should be noted also that the Committees (except the Finance Committee) may, if the Council chooses, include up to one-third of their number persons who are not members of the Council. A point, which is often overlooked, is the importance of having the fullest possible co-operation between different Committees, so that the work of their departments may be properly correlated. It is obvious, for instance, that the Education Committee ought to be in touch with both the Parks Committee and the Libraries Committee. A second point, which is overlooked by all too many individual Councillors, is the importance of close attention to, and training themselves for, Committee work. Bernard Shaw once said very truly that 'it is possible for a Councillor to be stupendously ignorant and shamefully lazy, and yet to be not only popular with his fellow Councillors, but—provided he is a tolerably entertaining speaker—with the ratepayers also. He passes for a very busy public man, when he is really only a sociable one, by attending all his Committees and doing nothing on them.' Much of the work appears to be of a dull routine kind, or a mass of tiresome details. But the dull routine and the tiresome details are the basis of an efficient public service. A member of a Highways Committee who thinks that a kind heart, or an acquaintance with Karl Marx, or a determination to 'save the rates' is a good substitute for a knowledge of bad housing or the habits of contractors, had better not be there at all. The Committeeman who will 'make good' on the Committee and in the Council is he who will aim at knowing as much as the Clerk or the officials themselves of the procedure, the details of the work, and the functioning and possibilities of the department.

MEETINGS

Urban District Councils usually meet monthly, although they are only required by statute to hold an annual meeting and three other meetings during the year. The attendance of the public is permitted during the pleasure of the Council, but the Press can only be excluded by a special resolution recording that the business to be dealt with is of such a nature that it should be considered in private. It is the practice of some Councils to 'go into Committee' and deal with certain business *in camera*, but where this is done the Committee of the whole Council should publicly report to the Council the results of their deliberations. Any elector has the right of inspecting the minutes of the

Council (including any reports of Committees presented to the Council) upon payment of 1/- and of taking copies of any of the minutes.

THE DUTY OF A GOOD COUNCILLOR

The efficiency of an Urban District Council, then, will depend largely on the character of its members. If the Councillors are keen and competent (which in a great many cases they are not) they will see, in the first place, that their officials are keen and competent. They will, in the second place, be constantly looking for improvements in all the work of the Council. This seems a trite thing to say, but it is important, because it opens up the whole question of finance. A large number of keen Councillors are merely keen to economise the rates. If they were competent as well as keen, they would know that spending rather than stinting may often be the truest economy. Thousands of municipal ships up and down the country are spoiled for 'a ha'porth of tar'. A long list of examples could be given, not only from the Public Health or Housing or Education Committee's reports, but from those of Highways and Parks and others.

The keen and competent Councillor will not be satisfied merely with the efficient working of the existing services provided by the Council. He will ask whether there are not any new services that it might, or ought to, undertake. Reference has already been made to a number of communal enterprises of various sorts carried out by Urban District Councils.

It is possible that before long there may be added the supply of milk (not that limited supply, which, even now, the Council, as Health and Maternity and Child Welfare authority, may provide in special cases, but the general supply to all consumers in the District) and the supply of coal. Socialists have long advocated municipal milk and municipal coal; the universal experience of profiteering during and since the War has done much towards converting the general public. It may even come to pass that we shall presently see the advantage of municipal pawnshops, such as exist in France and Italy and other continental countries. They would be a considerable advantage, at any rate, to large numbers of the 'local government electors', by whom the pawnshop, under the present arrangement of society, is as regularly patronised as the picture-palace. At present, however, there is no statutory power given to public authorities to embark on these enterprises.

But, as regards the larger public utility services, it is clear that the majority of Urban Districts are too limited in size or resources to undertake them. Nevertheless, there are few Districts in which there are not certain things valuable, even if small, to be done for the public welfare. Outside the spheres of public health, housing and education, with which we are not concerned here, we may instance two matters, in which the majority of District Councils are content to do little or nothing. These are the provision of libraries and the provision of recreation or amusement. Where a public library¹ is lacking, the County Council ought to be pressed, should pressure be necessary, to take up the powers conferred on it by the Public Libraries Act, 1919. As for recreation, much is waiting to be done in the little towns and large villages. The County Council, as the local education authority, should be urged to provide Community Centres, for which financial aid may be obtained from the Ministry of Education. There are also hundreds of District Councils which could make swimming baths in the open air or otherwise, improve their parks or playing fields, provide bands or concerts. Some of these things will not produce a revenue; some of them may even be a trifling 'burden on the rates'. But the wise Councillor will not be afraid of them on that account, since he knows that municipal enterprise and commercial enterprise are not and ought not to be the same thing.

WHAT TO READ

ON LOCAL GOVERNMENT

Those readers who wish to study local government and its problems more extensively will find the following list of books and pamphlets a useful guide. Most of them are quite readable and of reasonable length, but many will not be in print when required and will have to be sought in libraries, etc.

FABIAN PAMPHLETS

TRACT SERIES (uniform with this pamphlet, revised 1946)

62	Parish and District Councils	—	6d
190	Metropolitan Borough Councils	by C. R. Attlee	6d
191	Borough Councils	by C. R. Attlee	6d
218	County Councils	by H. Samuels	6d

RESEARCH SERIES

46	Scottish Local Government	by W. H. Marwick	6d
47	Reform of the Rating System	by John Sullivan	6d
90	The Education Act, 1944	by Shena D. Simon	1/-

Further pamphlets are being prepared. Up-to-date booklets are always obtainable from the Fabian Bookshop, 11, Dartmouth Street, S.W.1.

OTHER PUBLICATIONS

Local Government in England and Wales				
by W. E. Jackson	Penguin	1945	9d	
The A.B.C. of Local Government				
by C. Kent Wright	Evans	1939	4/6	
Local Government in Britain				
by E. L. Hasluck	C.U.P.	1936	12/6	
A Century of Municipal Progress				
Edited by H. J. Laski, W. I. Jennings and W. A. Robson				
	Allen & Unwin	1936	21/-	
The Councillor by A. N. C. Shelley		Nelson	1939	3/-
Principles of Local Government Law				
by W. I. Jennings	L.U.P.	O.P.	7/6	
Local Government in Modern England				
by J. P. R. Maud	O.U.P.	1932	3/-	
The Development of Local Government				
by W. A. Robson	Allen & Unwin	1931	12/6	
The Law Relating to Local Elections				
by O. F. Dowson and H. W. Wightwick	Knight	1945	25/-	
The Reform of Local Government Finance				
by A. N. Silver	Lawrence & Wishart	1945	2/-	
Parish Councils	} Both published by the National Council of Social Service			
Village Halls and Social Centres in the Countryside				
The Reform of Local Government Structure	} Both published by the National Association of Local Government Officers			
(1942 6d)				
Report on Relations between Local Government and the Community				
(1945, 6d)				

SELECT LIST OF FABIAN PUBLICATION

(From those still in print)

RESEARCH PAMPHLETS

77	Export Policy and Full Employment (Revised Edition)	E. F. Schumacher	...	...	...	...	...
81	Facts for Socialists, 16th Edition	...	...	...	...	...	...
90	The Education Act, 1944	Shena D. Simon	...	...	...	...	...
91	Monopoly in British Industry	W. Arthur Lewis	...	...	...	...	...
92	Colonies and International Conscience	...	...	...	...	...	...
93	Fuel and Power	...	...	...	...	...	...
94	Reparations and the Future of German Industry	G. D. H. Cole	...	...	...	...	...
95	British Transport	Ernest Davies	...	...	...	...	...
96	The Farming Front...	...	...	...	...	...	...
97	Spain in The Post-War World.	Ilsa and Arturo Barea	...	...	...	...	...
98	Reconstruction—Then and Now.	Robert S. W. Pollard	...	...	...	...	...
99	The Sudan	...	...	...	...	...	...
100	Strategic Colonies and Their Future	...	...	...	...	...	...
102	The General Election, 1945, and After	Margaret Cole	...	...	...	...	...
103	The British Gas Industry	Joan Mitchell	...	...	...	...	...
104	Cotton—A Working Policy	...	...	...	...	...	...
105	Profits During the War and After	T. Barna	...	...	...	...	...
106	Labour Control and De-Control	...	...	...	...	...	...
107	The Care of Homeless Children	Helen Donington	...	...	...	...	...

FABIAN TRACTS

258	The Fabian Society	G. D. H. Cole	...	...	...	...	...
260	Small Savings: The Case for a People's Savings Bank	...	...	...	...	...	...

BIOGRAPHICAL SERIES

1	France's Place	St John G. Ervine	...	...	...	...	...
3	William Morris	Mrs Townsend	...	...	...	...	...
4	John Stuart Mill	Julius West	...	...	...	...	...
5	Charles Kingsley	C. E. Vulliamy	...	...	...	...	...
8	William Lovitt	Barbara Hammond	...	...	...	...	...
10	Thomas Paine	Kingsley Martin	...	...	...	...	...
11	Jeremy Bentham	Victor Cohen	...	...	...	...	...
13	Richard Carlile	G. D. H. Cole	...	...	...	...	...
14	John Burns	G. D. H. Cole	...	...	...	...	...

FABIAN SPECIALS

7	The British Working-Class Movement: An Outline Study-Guide	G. D. H. Cole	...	...	...	...	...
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BOOKS

Fabian Essays (1931 Edition)	...	...	...	...	...	...	...
Education for Democracy	Margaret Cole	...	...	...	...	(Allen & Unwin)	...
Retail Trade Associations	Hermann Levy	...	...	...	...	(Routledge)	...
Downing Street and the Colonies	...	...	...	...	...	(Allen & Unwin)	...
Social Security	Ed. Dr. W. A. Robson	...	...	...	...	(Allen & Unwin)	...
Plan for Britain: Fabian Lectures, 1942	...	...	...	...	...	(Routledge)	...
Fabian Socialism	G. D. H. Cole	...	...	...	...	(Allen & Unwin)	...
Fabian Colonial Essays	...	...	...	...	...	(Allen & Unwin)	...
Co-operation in the Colonies	...	...	...	...	...	(Allen & Unwin)	7/6 &
Population and the People	...	...	...	...	...	(Allen & Unwin)	...
What Labour Could Do	...	...	...	...	...	(Routledge)	...
Condition of the British People	M. Abrams	...	...	...	...	(Gollancz)	...

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